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PATENT  
ATTORNEY DOCKET NO. 051626-5008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

*In re Application of:*

Hitoshi KOMURO et al.

Application No.: 10/782,816

Filed: February 23, 2004

For: CIRCULATING BODY AND FIXING  
DEVICE

)  
)  
) Confirmation No.: 5477

)  
) Group Art Unit No.: 2852

)  
) Examiner: Sophia S. Chen

)  
) Mail Stop AMENDMENT

Commissioner for Patents  
U.S. Patent and Trademark Office  
**Mail Stop Amendment**  
Alexandria, VA 22314-1450

Sir:

**AMENDMENT TRANSMITTAL FORM**

1. Transmitted herewith is an Amendment in response to Non-Final Office Action dated December 28, 2005, the period for response to which extends through February 28, 2006, please amend the above-identified application as follows.
2. Additional papers enclosed:

- ☐ Information Disclosure Statement
- ☐ Form PTO-1449, \_\_\_\_\_ references included
- ☐ Citations
- ☐ Declaration of Biological Deposit
- ☒ Submission of Replacement Drawings
- ☐ Others

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☐ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

☐ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 450.00	\$ 225.00
<input type="checkbox"/> three months	\$ 1,020.00	\$ 510.00
<input type="checkbox"/> four months	\$ 1,590.00	\$ 795.00

Extension of time fee due with this request: \$ .00

If an additional extension of time is required, please consider this a Petition therefor.

☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	18	minus	20	0	x \$50 each=	+ \$ -0-
Independent Claims (37 C.F.R. §1.16(b))	2	minus	3	1	x \$200 each=	+ \$ 0.00-
<input type="checkbox"/> First presentation of Multiple dependent claim(s)					\$360.00	+ \$
SUB-TOTAL =						\$0.00
Reduction by ½ for filing by a small entity						- \$
TOTAL FEE =						\$0.00

6. Fee Payment

- ☒ No fee is to be paid at this time.
- ☐ The Commissioner is hereby authorized to charge \$0.00 to Deposit Account No. 50-0310.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**By: Jason E. Gettleman  
Reg. No. 55,202

Dated: February 23, 2006

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**SUBMISSION OF REPLACEMENT DRAWINGS**

To correct the informalities in the drawings, applicants submit herewith two (2) replacement sheets of drawings containing two (2) figures to conform the drawings to the requirements as noted on the non-Final Office Action dated December 28, 2005. Applicants add a suitable legend to indicate the composition of layers 126, 113, and 114 as shown in Figures 1 and 2, in accordance with MPEP § 608.02 and 37 C.F.R. § 1.84(o). The period for response expires of February 28, 2006 and this submission is on or before the expiration date.

If there are any fees due in connection with the filing of these drawings, the Commissioner is hereby authorized to charge any additional fees due to Deposit Account No. 50-0310.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

By: \_\_\_\_\_

Jason E. Gettleman  
Reg. No. 55,202

Dated: February 23, 2006  
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